

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID KEMP,  
aka Powder

Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

CASE NO.

**1:20CR-060**

JUDGE

**J. BARRETT**

**INDICTMENT**

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)(vi)

21 U.S.C. § 846

---

**THE GRAND JURY CHARGES:**

**COUNT ONE**

**(Distribution and Attempt to Distribute a Controlled Substance)**

On or about May 14, 2019, within the Southern District of Ohio, and elsewhere, the defendant, **DAVID KEMP aka Powder**, knowingly and intentionally distributed and attempted to distribute a mixture and substance containing an amount of fentanyl, a Schedule II controlled substance in excess of 40 grams.

**In violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(vi), and 846.**

**FORFEITURE ALLEGATION**

Upon conviction of one or more offenses set forth in Count 1 of this Indictment, the defendant, **DAVID KEMP**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), (1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation(s), and (2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation(s).

**SUBSTITUTE ASSETS**

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant, up to the value of the property described above.

**A TRUE BILL.**

  
**GRAND JURY FOREPERSON**

**DAVID M. DeVILLERS  
UNITED STATES ATTORNEY**

  
**TIMOTHY D. OAKLEY  
ASSISTANT UNITED STATES ATTORNEY**